

# Exhibit 1

## REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (3/2011)

Supreme COURT, COUNTY OF NY  
 Index No: 100632/17 Date Index Issued: 5/12/17

For Court Clerk Use Only	
Case No.	5-12-17
Judge Assigned	Jaffe
Case No.	
Judge Assigned	
Case No.	
Judge Assigned	

CAPTION: Enter the complete case caption. Do not use a colon and, if more space is required, attach a caption rider sheet.

\* Mariah Lopez

SUPREME COURT  
 NEW YORK COUNTY  
 PETITIONER(S)  
 EX-PARTE MOTION PART

Plaintiff(s)/Petitioner(s)

-against-

NYC Dep. Homeless Services  
 \* Project Renewal

NEW YORK COUNTY CLERK'S OFFICE  
 RESPONDENTS(S)

## NATURE OF ACTION OR PROCEEDING

## MATRIMONIAL

- ☐ Contested  
☐ Uncontested

NOTE: For all Matrimonial actions where the parties have children under the age of 18, complete and attach the MATRIMONIAL RJ Addendum.

## TORTS

- ☐ Asbestos  
☐ Breast Implant  
☐ Environmental: \_\_\_\_\_ (specify)  
☐ Medical, Dental, or Podiatric Malpractice  
☐ Motor Vehicle  
☐ Products Liability: \_\_\_\_\_ (specify)  
☐ Other Negligence: \_\_\_\_\_ (specify)  
☐ Other Professional Malpractice: \_\_\_\_\_ (specify)  
☐ Other Tort: \_\_\_\_\_ (specify)

## OTHER MATTERS

- ☐ Certificate of Incorporation/Dissolution [see NOTE under Commercial]  
☐ Emergency Medical Treatment  
☐ Habeas Corpus  
☐ Local Court Appeal  
☐ Mechanic's Lien  
☐ Name Change  
☐ Pistol Permit Revocation Hearing  
☐ Sale or Finance of Religious/Not-for-Profit Property  
 Other: \_\_\_\_\_ (specify)

## COMMERCIAL

- ☐ Business Entity (including corporations, partnerships, LLCs, etc.)  
☐ Contract  
☐ Insurance (where insurer is a party, except arbitration)  
☐ UCC (including sales, negotiable instruments)  
☐ Other Commercial: \_\_\_\_\_ (specify)

NOTE: For Commercial Division assignment requests [22 NYCRR § 202.70(d)], complete and attach the COMMERCIAL DIV RJ Addendum.

## REAL PROPERTY

- ☐ Condemnation  
☐ Foreclosure  
 Property Address: \_\_\_\_\_  
 Street Address City State Zip  
 NOTE: For Foreclosure actions involving a one- to four-family, owner-occupied, residential property, or an owner-occupied condominium, complete and attach the FORECLOSURE RJ Addendum.  
☐ Tax Certiorari - Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
☐ Other Real Property: \_\_\_\_\_ (specify)

## SPECIAL PROCEEDINGS

- ☐ CPLR Article 75 (Arbitration) [see NOTE under Commercial]  
☐ CPLR Article 78 (Body or Officer)  
☐ Election Law  
☐ MHL Article 9.60 (Kendra's Law)  
☐ MHL Article 10 (Sex Offender Confinement - Initial)  
☐ MHL Article 10 (Sex Offender Confinement - Review)  
☐ MHL Article 81 (Guardianship)  
☐ Other Mental Hygiene: \_\_\_\_\_ (specify)  
☐ Other Special Proceeding: \_\_\_\_\_ (specify)

## STATUS OF ACTION OR PROCEEDING

- a summons and complaint or summons w/notice been filed?  
 s action/proceeding being filed post-judgment?

YES NO

☐

☐

If yes, date filed: \_\_\_\_\_

If yes, judgment date: \_\_\_\_\_

FILE

[Print in black ink all areas in bold letters. Other spaces are for Court use.]

At I.A.S. Part 12 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse, thereof, 60 Centre Street, New York, N.Y., on the 18 day of May, 2017.

PRESENT: HON. JATTE  
Justice of the Supreme Court

In the Matter of the Application of \_\_\_\_\_ x

Maniah Lopez  
[fill in name(s)]

Petitioner(s)

- against -

NYC  
Department of Homeless Services and Project

[fill in name(s)]

Respondent(s)

Index Number

100632/17

ORDER TO SHOW CAUSE  
IN SPECIAL PROCEEDING

MS#

Upon reading and filing the petition(s) of Maniah Lopez  
[your name(s)], sworn to on May 11, 2017

[date Verified Petition notarized] and upon the exhibits attached to the petition,

[Identify Exhibits below. List additional Exhibits on separate page.]

Exhibit A - "Shelter Client Referral Transfer Referral Form (Form 402B)"

Let the respondent(s) show cause at I.A.S. Part 12, Room 341, of this Court, to be held at the Courthouse, 60 Centre Street, New York, N.Y., on the 31 day of May, 2017, at 11:30 o'clock in the am noon or as soon as the parties to this proceeding may be heard why an order should not be made, providing the following relief:

[briefly describe what you are asking the Court to do] Restrain DHS and Project Renewal from carrying out an administrative transfer



from "Marsha's Place" Shelter located at 480<sup>E</sup>/85<sup>St</sup>  
Bronx 10458, unit #12

for the reasons that [briefly describe the reasons why you should be granted what you are requesting] Because I have tried to exhaust my administrative remedies (I actually am certain that I have, in fact, exhausted all remedies with Department of Homeless Services and Project Renewal) concerning a challenge to ~~and~~ the "Administrative Transfer" from Marsha's Place, and am still set to be transferred. My safety and well-being are in jeopardy if I am transferred. I am disabled, and have unique medical needs as a Trans woman.

Sufficient cause appearing therefore, let personal service of a copy of this order, the petition and all other papers upon which this order is granted, upon all parties to this proceeding, on or before the 17<sup>th</sup> day of May, 2017 be deemed good and sufficient. A copy of an affidavit or acknowledgment of service shall be filed with the County Clerk (Room 141-B) immediately after service and the original of such proof of service shall be presented to this court on the return date directed in the second paragraph of this order.

ENTER

Pending the determination of this proceeding, respondents are stayed from enforcing the transfer referral of petitioner to the Win West Shelter.

BARBARA JAFFE  
J.S.C.

Respondents to appear or answer on or before 5/24 before 5 pm.

This order is conditioned on petitioner complying with respondents' rules + regulations. Respondents' employees are likewise directed to comply with the relevant pertinent law + rules of the facility.

[Print in black ink all areas in bold letters.]

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

In the Matter of the Application of \_\_\_\_\_X

Index Number \_\_\_\_\_

Mariah Lopez  
[fill in name(s)]

Petitioner(s)

- against -

Department of Homeless Services and  
Project Renewal

NOTICE OF PETITION

[fill in name(s)]

Respondent(s)

X

PLEASE TAKE NOTICE that upon the verified petition(s) of Mariah  
Lopez

[your name(s)], sworn to on \_\_\_\_\_, 200\_\_

[date Verified Petition notarized], and the attached exhibits, petitioner(s) will request this Court,  
at 9:30 AM on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, [return date] at the Courthouse, at  
60 Centre Street, New York, N. Y., in the Motion Support Courtroom, Room 130, for a judgment,

pursuant to the Civil Practice Law and Rules (CPLR), granting the following relief to the  
petitioner(s): [briefly describe what you are asking the Court to do]

To order NYC Dep. of Homeless Services to postpone or reverse its decision to approve Project Renewal's request to transfer me from Marsha's Place Shelter (for Transgender People).

and for such other and further relief as this Court may deem just and proper.

Dated: \_\_\_\_\_, 200\_\_

[date signed]

Respectfully submitted,

To: Respondent(s)

Petitioner(s)

[your name, address, telephone number]

[name, address, telephone number]



[Print in black ink to fill in the spaces next to the instructions]

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

In the Matter of the Application of \_\_\_\_\_ x

Mariah Lopez  
[fill in name(s)]

Index Number \_\_\_\_\_

- against -

Petitioner(s)

NYC Department of Homeless  
Services, Project Renewal

VERIFIED PETITION

[fill in name(s)]

Respondent(s)

TO THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK:

The petition of Mariah Lopez

shows to this Court as follows:

[your name] respectfully

1. Petitioner resides at 480 E 185 St, Bronx 10458

[your address]

2. The respondent(s) is/are [identify the respondent(s)] New York City Department  
of Homeless Services and Project Renewal

3. [Describe what you are requesting. Add more pages if needed. If you are appealing

the decision of a government agency, give the date and outcome of the final determination.

Explain why this Court should reverse that decision.] For the Court to order  
NYC DHS ~~and~~ <sup>me</sup> to stay its decision/approval for  
an Administrative Transfer from Project Renewal's  
"Marsha's Place" Transgender (GILBTQ) Shelter.  
NYC DHS and Project Renewal are using an  
"Admin Transfer" to move me from Marsha's  
Place after a Federal Court issued a TRO against  
such a move on April 27<sup>th</sup> 2017. I brought a lawsuit  
pro se against the respondents for refusing  
entry of my Service Dog. <sup>(4)</sup> I allowed the TRO

to dissolve after DHS and Project Renewal allowed my dog in. Since then, staff at Marsha's place have been treating me "different" than other clients. Rules are cited and enforced more against me than the other clients, and the apparent "stricter" attitude, in addition to staff seeming to document more of my alleged infractions than other clients have resulted in a "paper trail" and so I am being transferred.

⑦ Under CPLR "78" Article 78, I'm challenging the DHS transfer.

⑧ Project Renewal's Director, Cedon Grime, has also shared inappropriate details about his personal life with me, leading me to believe that the Administrative Tribunal he personally requested and pushed for ~~and~~ is retaliation for my lawsuit and TRD in Federal Court, as well as my confronting him yesterday in a private meeting. The transfer came after an incident where I passionately objected to discrimination I witnessed by Food Service staff against Trans clients. The incident is simply transfer me.

4. Attached are copies of all relevant documents. [Attach the decision you are asking the court to reverse as Exhibit A. Attach any other documents as Exhibit B, Exhibit C, and so on. List additional Exhibits on separate page.]

Exhibit A -

Exhibit B -

Exhibit C -

Exhibit D -

Exhibit E -

5. A prior application has not / has [circle one] been made for the relief now requested. If you made this application before in this or any other court, describe where, when, the result and why you are making it again.]



WHEREFORE, your deponent respectfully requests that this Court [briefly describe what you are requesting]:

That DHS and Project Renewal be barred from transferring me from Marsha's Place Shelter until this Court determines if retaliation was the main reason behind the request for an "Admin-transfer."

5/11/17

[date signed]

, 200

Petitioner [sign your name]

Mariah Lopez

[print your name]

480 E 185 Street

Bronx 10458

[your address and telephone no.]

STATE OF NEW YORK

VERIFICATION

COUNTY OF

New York

ss:

Mariah Lopez

[your name], being duly sworn,

deposes and says that: I am the petitioner in this proceeding; I have read the foregoing petition and know the contents thereof; the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief; and as to those matters I believe it to be true.

Sworn to before me on

11<sup>th</sup> day of May, 2017

Notary Public

FRANKIE ALMANZAR

Notary Public, State of New York

Reg. No. 04AL6287906

Qualified in New York County

Commission Expires Sept. 9, 2017

Petitioner [sign your name in front of a Notary]

Mariah Lopez

[print your name]



Form 402B  
Revised 8/10/98Division of Adult Services  
Department of Homeless Services

## SHELTER CLIENT TRANSFER REFERRAL

CLIENT'S SURNAME: Lopez	FIRST NAME: Mariah	H.A. NUMBER: 745918
----------------------------	-----------------------	------------------------

\* You are being OFFICIALLY transferred on 05 / 11 / 17 to Win West Shelter, because:

Administrative Transfer - Safety Concern

NAME OF SHELTER REFERRED TO: Win West Shelter	ADDRESS OF SHELTER REFERRED TO: 341 W. 51st Street NY NY
CONTACT PERSON AT SHELTER REFERRED TO: Diana Santos	DATE REFERRED / TIME OF CALL:

\* Beginning on 05 / 11 / 2017, your new shelter is your OFFICIAL SHELTER. You are not eligible to transfer for services at any other DHS or DHS contracted Adult Services shelter. You may not transfer to any other DHS or DHS contracted Adult Services shelter without agency approval.

Your Official shelter will provide the following services to you:

- 1) bed                      3) three meals a day                      5) toiletries                      7) recreation  
 2) locker                      4) clothing                      6) carfare                      8) social services

TRANSFER APPROVED BY: Kaedon Grinnell  
Print Name

[Signature] 5/11/17  
Signature Date

☐ I did NOT request a Supervisory Review and accept the transfer as a change in my official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ I have had a Supervisory Review on \_\_\_ / \_\_\_ / \_\_\_ and I accept transfer to my new official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ I have had a Supervisory Review on \_\_\_ / \_\_\_ / \_\_\_, but continue to disagree with the change in my official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ Client refused to sign; however, form was explained to client.

WITNESSING WORKER: \_\_\_\_\_

Print Name

Signature

Date

Time that client left referring shelter \_\_\_\_\_ A.M. or P.M.

# CLIENT NOTIFICATION OF TRANSFER

Date: 05 / 10 / 2017

### Administrative Transfer - Safety Concern

Distribution: Original to client, copy to case record.



Form 402B  
Revised 8/10/98Division of Adult Services  
Department of Homeless Services

## SHELTER CLIENT TRANSFER REFERRAL

CLIENT'S SURNAME: Lopez	FIRST NAME: Mariah	H.A. NUMBER: 745918
----------------------------	-----------------------	------------------------

\* You are being OFFICIALLY transferred on 05 / 11 / 17 to Win West Shelter, because:

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Your Official shelter will provide the following services to you:

- |           |                      |               |                    |
|-----------|----------------------|---------------|--------------------|
| 1) bed    | 3) three meals a day | 5) toiletries | 7) recreation      |
| 2) locker | 4) clothing          | 6) carfare    | 8) social services |

TRANSFER APPROVED BY: Kaedon Grinnell  
Print Name

[Signature] 5/11/17  
Signature Date

☐ I did NOT request a Supervisory Review and accept the transfer as a change in my official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ I have had a Supervisory Review on \_\_\_ / \_\_\_ / \_\_\_ and I accept transfer to my new official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ I have had a Supervisory Review on \_\_\_ / \_\_\_ / \_\_\_ , but continue to disagree with the change in my official shelter.

Client's Signature (X) \_\_\_\_\_ Date: \_\_\_\_\_

☐ Client refused to sign; however, form was explained to client.

WITNESSING WORKER: \_\_\_\_\_

Print Name

Signature

Date

Time that client left referring shelter \_\_\_\_\_ A.M. or P.M.

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 4/27/2017

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----X	:	
MARIAH LOPEZ,	:	
	:	
Plaintiff,	:	17-CV-3014 (VEC)
	:	
-against-	:	<u>TEMPORARY RESTRAINING</u>
	:	<u>ORDER</u>
THE CITY OF NEW YORK, and PROJECT	:	
RENEWAL, INC.	:	
Defendants.	:	
-----X	:	

VALERIE CAPRONI, United States District Judge:

On April 25, 2017 Plaintiff, proceeding *pro se*, filed a complaint for preliminary and permanent injunctive relief alleging that Defendants have refused to permit her service animal access to a public accommodation in violation of Title III of the Americans with Disabilities Act (the "ADA"), 42 U.S.C. § 12182(a). Plaintiff concurrently moved for a temporary restraining order ("TRO") pursuant to Rule 65 of the Federal Rules of Civil Procedure. On April 27, 2017 the Court held a conference in respect of Ms. Lopez's application for a temporary restraining order.

The standard for entry of a TRO in this circuit is the same as for a preliminary injunction. See *Andino v. Fischer*, 555 F. Supp. 2d 418, 419 (S.D.N.Y. 2008). In order to obtain a TRO (or preliminary injunction) a moving party must demonstrate: "(1) irreparable harm in the absence of the injunction and (2) either (a) a likelihood of success on the merits or (b) sufficiently serious questions going to the merits to make them a fair grounds for litigation and a balance of hardships tipping decidedly in the movant's favor." *MyWebGrocer, L.L.C. v. Hometown Info., Inc.*, 375 F.3d 190, 192 (2d Cir. 2004) (quoting *Merkos L'Inyonei Chinuch, Inc. v. Otsar Sifrei Lubavitch, Inc.*, 312 F.3d 94, 96 (2d Cir. 2002)).



Federal regulations require public accommodations to modify their “policies, practices, or procedures to permit the use of a service animal by an individual with a disability.”<sup>1</sup> 28 C.F.R. § 36.302(c)(1). The Court finds that Plaintiff has shown that there are “sufficiently serious questions going to merits” of whether her dog is a service animal within the meaning of federal regulations. *See* 28 C.F.R. § 36.104 (“Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability . . .”). Plaintiff has provided the Court and Defendants with information relative to the tasks performed by the animal and an unverified letter from a treating psychiatrist as to the animal’s role in her care. While the Defendants take the position that the animal is in fact an “emotional support” or a “therapy” dog, which the City is not required to accommodate under the ADA, at this provisional stage, plaintiff’s showing is adequate.

The Court further finds that Plaintiff has adequately shown a risk of irreparable harm. Failure to accommodate Plaintiff and the service animal would potentially cause Plaintiff to be without shelter.

Accordingly, IT IS HEREBY ORDERED that the Defendants are provisionally directed to accommodate Plaintiff and her service animal at the “Marsha’s House” homeless shelter until 3:00 p.m. on May 1, 2017, unless this Court orders otherwise. This Order is without prejudice to the Defendants’ and Marsha’s House’s right to require Plaintiff to comply with all applicable

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<sup>1</sup> At this stage, the Court assumes, and Defendants do not appear to dispute, that Plaintiff has a “disability” for purposes of the ADA. This is without prejudice to the City’s right to dispute Plaintiff’s disability at later stages of the litigation.

shelter rules and City and State regulations.<sup>2</sup> Plaintiff's failure to comply with shelter rules or City and State regulations is grounds to dissolve this TRO.

IT IS HEREBY FURTHER ORDERED that the parties are directed to appear at **3:00 p.m. on May 1, 2017** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007 at which time the Court will hold a hearing in respect of Plaintiff's application for temporary injunctive relief.

**SO ORDERED.**

**Date: April 27, 2017  
New York, NY  
4:00 p.m.**

  
**VALERIE CAPRONI**  
**United States District Judge**

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<sup>2</sup> This temporary restraining order is also without prejudice to the City's resolution of Plaintiff's outstanding application for a reasonable accommodation and the City's administrative procedures concerning placement of Plaintiff in an acceptable shelter. The Court notes that resolution of the accommodation application or a showing that there are new independent grounds for the City's decision to discharge Plaintiff from the Marsha's House shelter may moot this case.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MARIAH LOPEZ,

Plaintiff,

-against-

NYC DEPARTMENT OF HOMELESS  
SERVICES, and PROJECT RENEWAL, INC.  
Defendants.  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/26/2017

17-CV-3014 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on April 25, 2017 Plaintiff filed a complaint for preliminary and permanent injunctive relief, alleging that Defendants have effectively denied her request for an accommodation for her service animal, in violation of the Americans with Disabilities Act; and

WHEREAS Plaintiff alleges that she will be without shelter on April 27, 2017 if the accommodation is not granted;

IT IS HEREBY ORDERED that Plaintiff and representatives of defendant Project Renewal and the Office of the Corporation Counsel of New York City are directed to appear before the Court in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007 at 1:00 p.m. on April 27, 2017 in order to show cause why Plaintiff's application for temporary injunctive relief should not be granted;

IT IS HEREBY FURTHER ORDERED that Plaintiff is directed to immediately notify the Defendants of this action and her request for provisional relief.

IT IS HEREBY FURTHER ORDERED that Plaintiff is directed to immediately deliver to the Defendants copies of her complaint, supporting materials, order to show cause, and this Order at the following addresses:

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIAH LOPEZ,

Plaintiff,

-against-

NYC DEP HOMELESS SERVICES;  
PROJECT RENEWAL, INC.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/26/2017

17-CV-3014 (VEC)

ORDER OF SERVICE

VALERIE CAPRONI, United States District Judge:

Plaintiff, appearing *pro se*, brings this action under the Americans with Disabilities Act of 1990. By order dated April 26, 2017, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis*. Plaintiff names the New York City Department of Homeless Services ("DHS") and Project Renewal, Inc., as defendants. For the reasons set forth below, the Court dismisses Plaintiff's claims against DHS and adds the City of New York as a defendant. The Court directs service on the City of New York and Project Renewal, Inc.

**STANDARD OF REVIEW**

The Court must dismiss an *in forma pauperis* complaint, or portion thereof, that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B); *see Livingston v. Adirondack Beverage Co.*, 141 F.3d 434, 437 (2d Cir. 1998). The Court must also dismiss a complaint, or portion thereof, when the Court lacks subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3). While the law mandates dismissal on any of these grounds, the Court is obliged to construe *pro se* pleadings liberally, *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009), and interpret them to raise the "strongest [claims] that they suggest," *Triestman v. Fed. Bureau of*

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff also must notify the Court in writing if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

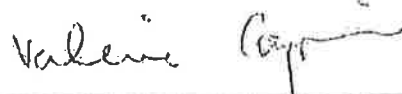
### CONCLUSION

The Court dismisses Plaintiff's claims against the New York City Department of Homeless Services. The Court directs the Clerk of Court to add the City of New York as a defendant in this action. Fed. R. Civ. P. 21. The Clerk of Court is further instructed to complete the USM-285 forms with the addresses for the City of New York and Project Renewal, Inc., and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 26, 2017  
New York, New York



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VALERIE CAPRONI  
United States District Judge





United States District Court  
Southern District of New York

**INSTRUCTIONS FOR LITIGANTS WHO DO NOT HAVE ATTORNEYS**

Case Name: Lopez v. New York City Dept. Homeless Services

Docket No.: 17cv03014

District Judge Assigned: Valerie E. Caproni

Magistrate Judge Assigned: Sarah Netburn

Your case has been assigned a docket number, a district judge, and a magistrate judge. Everything that you send to the court concerning this case must be labeled with the case name and docket number (including the initials of the district judge and any magistrate judge before whom the case is pending) listed above. You must mail or deliver any papers you file in your case to the Pro Se Intake Unit at 500 Pearl Street, Room 200, New York, New York, 10007, or, if your case is pending in the White Plains Courthouse, at 300 Quarropas Street, White Plains, NY 10601-4150. *Do not send any documents directly to a judge unless ordered to do so.*

If your contact information changes, it is your responsibility to notify the court in writing, even if you are incarcerated and transferred to another facility or released from custody. Fill out the "Notice of Change of Address" form included with this letter (or write a letter asking for your address to be changed) and send it to the Pro Se Intake Unit. It is not sufficient to send an envelope with a new return address or submit a letter with a new address listed without asking for your address to be officially changed. Your case could be dismissed if you do not notify the court of an address change.

Your case has been assigned to a district judge and a magistrate judge. The district judge may handle all matters in your case or may "refer" your case to the magistrate judge for certain pretrial issues. If you and all the other parties in your case agree to have your case proceed before the magistrate judge for *all purposes*, including trial, your case may proceed more quickly. A form for all parties to complete if they agree to have the trial before a magistrate judge is enclosed. For more information, refer to the handout "United States Magistrate Judges: Referrals and Consents."

500 PEARL STREET | NEW YORK, NY 10007  
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

PRO SE INTAKE UNIT: 212-805-0175

### ENCLOSED DOCUMENTS

- ☒ a copy of the order of service or order to answer and any other orders entered to date
- ☐ a copy of the Mediation Referral Order for Pro Se Employment Discrimination Cases, if one has been issued
- ☒ the individual practices of the district judge and magistrate judge assigned to your case
- ☒ Instructions for Litigants Who Do Not Have Attorneys, including:
  - ☒ Notice Regarding Privacy and Public Access to Electronic Case Files
  - ☒ a flyer about the free legal assistance clinic located in the Thurgood Marshall Courthouse
  - ☒ a Motions guide
  - ☒ a notice that the Pro Se Manual has been discontinued
  - ☒ a Notice of Change of Address form to use if your contact information changes
  - ☒ a handout explaining matters handled by magistrate judges and a consent form to complete if all parties agree to proceed for all purposes before the magistrate judge
- ☒ a form for you to complete if you consent to receive court filings electronically (only in nonprisoner cases)
- ☐ in social security cases only, a flyer about pro bono attorneys available through the New York County Lawyers' Association
- ☐ USM-285 forms for you to complete so that the Marshals Service can serve certain defendants, and instructions on how to complete the forms (only for use if the judge has ordered you to submit 285 forms; follow the instructions in the order of service)
- ☐ one or more summonses (only if you have paid the fee in person or if the judge has ordered that a summons be issued to you)